

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

TMT MANAGEMENT GROUP, LLC,

Civ. No. 14-4692 (MJD/JSM)

Plaintiff,

ORDER

v.

U.S. BANK NATIONAL ASSOCIATION, et. al.,

Defendants.

The above-entitled matter came before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron. The Plaintiff objects to the Magistrate Judge's recommendation to grant the motion to dismiss in its entirety.

Pursuant to statute, the Court has conducted a de novo review upon the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court will overrule Plaintiff's objections and will adopt the Report and Recommendation.

IT IS HEREBY ORDERED that:

1. Counts One (Civil RICO), Two (Conspiracy to Violate RICO), and Three (Violation of Section 1 of the Sherman Act) are dismissed with prejudice as to all defendants.

2. Counts Four (Violation of Minnesota Statute Chapter 325F), Five (Respondeat Superior), Count Six (Intentional Misrepresentation (Fraud)), Seven (Negligent Misrepresentation), Eight (Breach of Contract) and Nine (Unjust Enrichment) are dismissed without prejudice.

3. Count Ten (Negligent Supervision) is dismissed with prejudice as to U.S. Bank.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 24, 2016

s/ Michael J. Davis
MICHAEL J. DAVIS
United States District Court